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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,432	08/31/2000	John M. Davis	ITL.0436US (P9448)	3794
21906	7590	12/13/2007	EXAMINER	
TROP PRUNER & HU, PC			JEAN, FRANTZ B	
1616 S. VOSS ROAD, SUITE 750				
HOUSTON, TX 77057-2631				
			ART UNIT	PAPER NUMBER
			2154	
			MAIL DATE	DELIVERY MODE
			12/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/652,432

Applicant(s)

DAVIS, JOHN M.

Examiner

Frantz B. Jean

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This office action is in response to applicant's response filed on 10/01/07. Claims 1-25 are still pending in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Glades US patent Number 6,177,932.

With respect to claim 1, Galdes teaches a method comprising: receiving a client request for help related to a web page (fig 6 box 620, fig 7 box 720; col. 4 lines 41-53; col. 7 lines 36-40); and automatically receiving a web page locator providing information to remotely access said web page and using said information to automatically remotely access said web page (fig 6 box 630; fig 7 box 720; col. 3 lines 36-48; col. 4 lines 64-68; col. 7 lines 45-48).

Claim 11 is essentially the same as claim 1, and is rejected on the same basis. Galdes teaches the further limitation of an article comprising a medium storing instructions that enable a processor-based system ... (Fig. 2).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. Galdes teaches the further limitation a processor (Fig. 1 element 110; and a storage (240) coupled to said processor (Fig. 2).

With respect to claim 2, Galdes teaches the method of claim 1 including automatically initiating a chat session in response to the client request for help (fig 7).

Claim 12 is essentially the same as claim 2, and is rejected on the same basis.

Claim 22 is essentially the same as claim 2, and is rejected on the same basis.

With respect to claim 3, Galdes teaches the method of claim 2 including automatically initiating the chat session with a help service provider in response to the client request for help (fig 7).

Claim 13 is essentially the same as claim 3, and is rejected on the same basis.

Claim 23 is essentially the same as claim 3, and is rejected on the same basis.

With respect to claim 5, Galdes teaches the method of claim 1 wherein receiving the client request for help includes providing a client agent which obtains a Uniform Resource Locator identifying the web page and forwards the Uniform Resource Locator to a remote processor-based system (fig 6-7; col. 3 lines 36-48; col. 4 lines 64-68; col. 7 lines 45-48).

Claim 15 is essentially the same as claim 5, and is rejected on the same basis.

Claim 24 is essentially the same as claim 5, and is rejected on the same basis.

With respect to claim 6, Galdes teaches the method of claim 5 further including collecting information about a client and forwarding said information to the remote system (see fig 6 boxes 630, 685; see fig 7).

Claim 16 is essentially the same as claim 6, and is rejected on the same basis.

With respect to claim 7, Galdes teaches the method of claim 1, and also requesting live help from a web page (fig 6-7), which is

equated with wherein receiving the client request for help includes receiving a client selection of a help icon.

Claim 17 is essentially the same as claim 7, and is rejected on the same basis.

With respect to claim 8, Galdes teaches the method of claim 7 including extracting information about a remote processor-based system from said web page (see fig 6 box 640; fig 7).

Claim 18 is essentially the same as claim 8, and is rejected on the same basis.

With respect to claim 9, Galdes teaches the method of claim 1 including initiating a chat session between a remote processor-based system and said client (fig 2 and 6-7)

Claim 19 is essentially the same as claim 9, and is rejected on the same basis.

With respect to claims 10, 20 and 25, overlaying a chat dialog box over a web page can be found in fig 6-7 of Galdes).

As per claim 4, Galdes teaches initiating a web page refresh (see fig 5).

Claim 14 is essentially the same as claim 4, and is rejected on the same basis.

In addition, the claims can also be rejected by Jawahar.

Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Jawahar et al. hereinafter Jawahar US patent Number 6,256,620.

With respect to claim 1, Jawahar teaches a method comprising: receiving a client request for help related to a web page (fig 7B box 236, fig box 270; col. 14 lines 47 to col. 15 line 10 and col. 16 lines 60-67); and automatically receiving a web page locator providing information to remotely access said web page and using said information to automatically remotely access said

web page (fig 7B box 238; fig 7 box 272, 276, and 284; col. 15 lines 3-16; col. 17 lines 1-16).

Claim 11 is essentially the same as claim 1, and is rejected on the same basis. Jawahar teaches the further limitation of an article comprising a medium storing instructions that enable a processor-based system ... (Fig. 2, customer and agent).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. Jawahar teaches the further limitation a processor Fig. 2 elements 50 and 52; and a storage (40, 58). coupled to said processor (Fig. 2).

All the other dependent claims associated with claims 1, 11, and 21 are also taught by Jawahar (see Jawahar col. 14 line 47 to col. 17 line 16).

Response to Arguments

Applicant's arguments filed on 10/01/07 have been fully considered but they are not persuasive.

Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.

Regarding claim 4, Examiner has made a typographical error by writing England, which was prior art in the rejection sent to applicant on 7/27/06, instead of Galdes. The subject matter pointed in the prior art was valid except that the examiner has fails to delete England. Claim 4 depends on claim 1, which was rejected using Glades. Examiner believes that claim 4 is as well rejected by Galdes. Examiner will not submit another office action due to a typographical error. The 102 rejection clearly stated that claims 1-25 are clearly anticipated by Galdes. See rejection above.

Accordingly, the rejection is maintained.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Frantz Jean


FRANTZ B. JEAN
PRIMARY EXAMINER